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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,619	04/17/2001	Edgar Allan Tu	FUSN1-01106US0	8050

28554 7590 06/10/2003

VIERRA MAGEN MARCUS HARMON & DENIRO LLP
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SAN FRANCISCO, CA 94105

EXAMINER

NGUYEN, TAN QUANG

ART UNIT PAPER NUMBER

3661

DATE MAILED: 06/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/837,619

Applicant(s)

TU, EDGAR ALLAN

Examiner

TAN Q NGUYEN

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAIL ACTION

Notice to Applicant(s)

1. This office action is responsive to the Request for Continued Examination (RCE) Transmittal filed on April 28, 2003. As per request, claims 4, 17 and 29 have been amended. Claims 37-45 have been added. Thus, claims 4-45 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:
3. The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
4. Claims 38, 41 and 44 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Clarification or correction is requested.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject

matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4-37, 39, 40, 42, 43 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Musk et al. (6,148,260) in view of Behr et al. (5,543,789).

7. With respect to claim 4, Musk et al. disclose a method for servicing requests for geographic information which includes the steps of receiving at a remote access server from a user the geographic information and identifies data on database, obtaining the data from the database, and providing the geographical information called for in the request based at least in part on the data (see figures 1, 3 and the related text).

8. Musk et al. do not explicitly disclose that the database is operative coupled for communication with the remote access server via a network. However, Behr et al. suggest a computerized navigation system which includes the communication between the base unit (server) with the other providers (base device) via a network for providing additional information as requested from the user (see at least figure 1, items 12 and 82). Behr et al. also suggest that the user can send the request to obtain the data from a specific base device, i.e. yellow pages information database or traffic advisory information database (see column 9, lines 36-55). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Behr et al. into the system of Musk et al. in order to provide the system with the enhanced capability of providing the information requested from the user which is from the other providers (base devices), thereby improving navigation system with the information beyond the map database within the server.

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9. With respect to claims 5-16, Musk et al. do disclose the limitations regarding to the first and second locations, providing map and direction between the first and second locations to the user per request (see figures 1, 3, 5, 8 and the related text).

10. With respect to claims 17-36, the limitations of these claims have been noted in the rejections above and the Musk et al. and Behr et al. references. They are therefore considered rejected as set forth above.

11. With respect to claims 37, 40 and 43, it would have been obvious to one of ordinary skill in the art at the time the invention was made to realize that the transferring data between the third provider to the server can be secured in order to provide secure access which may be required/desired by either the server or the third provider.

12. With respect to claims 39, 42 and 45, Behr et al. do suggest that the data from the third provider includes information other than a geographic information (see column 9, lines 46-49).

Conclusion

13. All claims are rejected.

14. Applicant's arguments filed on April 28, 2003 have been fully considered.

However, upon the amended claims and the newly added claims, new rejection has been set forth as above.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Tan Nguyen, whose telephone number is (703) 305-9755. The examiner can normally be reached on Monday-Thursday from 5:30 AM-4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski, can be reached on (703) 308-3873.

Any response to this action should be mailed to:

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Commissioner of Patents and Trademarks
Washington, D.C. 20231


or faxed to:

(703) 305-7687, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park V, 2451
Crystal Drive, Arlington, VA., Seventh Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be
directed to the Group receptionist whose telephone number is (703) 308-1113.

/tqn
June 9, 2003


TAN Q. NGUYEN
Primary Examiner
Art Unit 3661



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

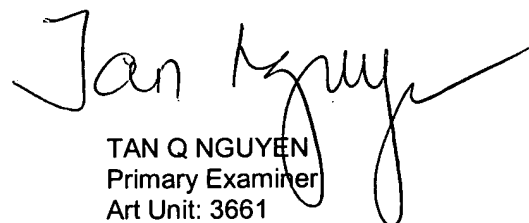
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Commissioner of Patents and Trademarks


TAN Q NGUYEN
Primary Examiner
Art Unit: 3661